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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:	§	CASE NO. 08-40814-RFN-13
	§	
MARK AND WANDA DOWNS	§	
	§	
Debtor(s)	§	

MOTION TO EXTEND §362 STAY PROVISIONS
FOR THE LIFE OF THE CHAPTER 13 PLAN

TO THE HONORABLE D, MICHAEL LYNN, U.S. BANKRUPTCY JUDGE:

COME NOW, MARK AND WANDA DOWNS, Debtor(s) in the above-entitled and numbered case, and respectfully move the Court to Continue the §362 Stay Provisions of 11 U.S.C. in the above referenced matter, and would state to the Court as follows:

I.

This Court has jurisdiction over this motion pursuant to §362, 11 U.S.C..

II.

Debtor filed for relief under Chapter 13 of Title 11 United States Code, on February 25, 2008.

III.

The filing of the above referenced Chapter 13 is the second bankruptcy filing that was dismissed within the last year and Debtor(s) are therefore only entitled to the protection of the automatic stay for 30 days. Debtor(s) previous Chapter 13 Case No. 04-45661-RFN was filed on June 8, 2004 and dismissed on February 7, 2008. The Debtor is a self-employed truck driver. The Debtor's business has improved and now can successfully complete the Chapter 13 Plan.. The Debtor requests this Honorable Court that the Section 362 Automatic Stay be extended beyond 30 days and apply to all creditors for the life of the Chapter 13 Plan.

IV.

Debtor(s) are requesting a continuation of the §362 Stay Provisions for the life of the Plan in order to prevent foreclosure of their homestead during the life of the plan.

WHEREFORE, PREMISES CONSIDERED, Debtor(s) pray that after notice and hearing, an Order be entered Continuing the Automatic stay provisions for the life of the Plan and for such other and further relief as may be just and proper.

Respectfully submitted,

_____/s/ Craig D. Davis
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Extend §362 Stay Provisions for the life of the Plan has been served on all persons listed on Debtor(s) Matrix, the Chapter 13 Trustee, Tim Truman and William T. Neary, US Trustee, by electronic notification or first class mail.

this day 25 of February, 2008.

____/s/ Craig D. Davis
RONALD W. ROBERTS
CRAIG D. DAVIS
JEFFREY W. ERMIS